

Exhibit 1

From: Linda Fantasia - To: bmoc54@verizon.net - Cc: - Date: October 21, 2020 at 12:51 PM

Hi Mike. Thank you for your comments. Navigating the COVID Pandemic has been difficult. I will forward you request to the Board of Health and the COVID Task Force for consideration. I understand that people may have different opinions on the what to do about COVID, but I would hope that Carlisle residents would behave in a non-judgmental way when dealing with people not wearing masks.

Linda Fantasia  
Health Agent  
Town of Carlisle  
66 Westford Street  
Carlisle MA 01741  
(978) 369-0283

*Please be advised that all email sent and received through the Town of Carlisle system may be considered part of the public record.*

Due to unprecedented public health conditions at this time, non-emergency Health Department responses may be delayed. We will provide responses as soon as possible and appreciate your patience.

**From:** Mike Bush <bmoc54@verizon.net>  
**Sent:** Tuesday, October 20, 2020 9:11 AM  
**To:** Linda Fantasia <lfantasia@carlislema.gov>  
**Subject:** Shifting to a healthier response to COVID-19

Hi Linda,

I hope you're well.

Fortunately my impression has been that we have handled COVID-19 in Carlisle with less strife than some other MA towns and cities. But there are some aspects in which we could be doing better.

I've been concerned that signs on town property and town Web pages such as <https://www.carlislema.gov/902/Hazardous-Waste-Collection-2020> have contributed to harassment of and discrimination against those with conditions that make it inappropriate for them to wear face coverings—a violation of the Americans with Disabilities Act as well as basic decency. Those signs and messaging have also misled people as to what Governor Baker's COVID-19 orders actually state for indoor and outdoor mask use. I can attest that even out in fresh open air I've been harassed at the transfer station for not wearing a face mask (not by staff but by a resident). So at a minimum I ask that the inaccurate signs and messaging be removed at this time.

Additionally, this month thousands of physicians including epidemiologists and public health specialists have signed the Great Barrington Declaration, which was co-authored by a professor of medicine at Harvard University here in MA. <https://gbdeclaration.org> It clearly articulates that we need to end the oppressive measures in response to COVID-19 that have done more harm than good to our people and society and instead shift to protecting the most vulnerable while having most people interact freely and normally to facilitate natural herd immunity.

The shutting of and restrictions imposed on our school, town buildings, and businesses needs to end, as do mask mandates. Though people can of course be allowed to wear masks if they wish, the preponderance of evidence clearly shows they don't actually reduce the spread of flu or COVID-19 infections <https://swprs.org/face-masks-evidence/>

I have also communicated these points to our legislators and officials at the state level. But I wanted to provide this input at our town level as well so that:

1. We now remove the signs and town messaging regarding masks that have been misleading and harmful
2. We shift to a healthier response to COVID-19 and future viruses in accordance with the more sound guidance in the Great Barrington Declaration (as soon as state requirements allow us to)

Kind Regards,  
Mike Bush  
280 Lowell Street

Exhibit 2

From: Martha Feeney-Patten - To: Linda Fantasia, bmoc54@verizon.net - Cc: - Date: March 22, 2021 at 2:49 PM

Hi, Mike,

Thank you for your comments. As Linda said, we will continue to follow the Governor's orders and CDC advisories, while looking forward to being more fully open in the future. To help replace a little bit of the experience of browsing and chatting about books with staff, we are offering book bundles:

<https://gleasonlibrary.org/book-bundles/>

We'd also be happy to send you pictures of what's on the shelf in our new book section or other areas that you're interested in, or chat about what you're looking for by phone or over Zoom. Let me know if you'd be interested in any of that.

Best regards,

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**From:** Linda Fantasia <lfantasia@carlislema.gov>  
**Sent:** Monday, March 22, 2021 2:28 PM  
**To:** Mike Bush <bmoc54@verizon.net>; Martha Feeney-Patten <mpatten@gleasonlibrary.org>  
**Subject:** RE: We want to fully enjoy Gleason Library again

Hi Mike – I am sharing your comments with the Board of Health. I believe that Carlisle will continue to follow the Governor's Orders and CDC Advisories. We would all like to return to a more "normal" lifestyle – but safely.

*Linda Fantasia  
 Health Agent  
 Town of Carlisle  
 66 Westford Street  
 Carlisle MA 01741  
 (978) 369-0283*

*Please be advised that all email sent and received  
 through the Town of Carlisle system may be  
 considered part of the public record.*

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**From:** Mike Bush [mailto:bmoc54@verizon.net]  
**Sent:** Monday, March 22, 2021 1:05 PM  
**To:** Martha Feeney-Patten; Linda Fantasia  
**Subject:** We want to fully enjoy Gleason Library again

Hi Martha & Linda,

I hope you're well and prospering in 2021.

Just wanted to share a few positive thoughts and input about the library and town as well as our response to COVID-19.

My wife and I moved to Carlisle three years ago and love both the town and the library. We enjoy and appreciate the online services and curbside pickup of materials that have been provided over the past year. We also really enjoyed stopping in, browsing, researching, and chatting before the library was closed to varying degrees to COVID-19. I also still get a kick out of walking or driving by and reading the witticisms posted on the sign out front. "No pop up ads in books" and "was reading the dictionary and thought it was a poem" ones still make me grin.

Face masks are medically inappropriate for me, as they are for some other adults and children as well. Though the governor's COVID orders regarding face masks do allow for such exemptions, some businesses and facilities in MA have been understanding and others have not over the past year. It's been saddening and stressful to be harassed or discriminated against in buildings and even out in open fresh air in Carlisle over the past year.

As Harvard University's professor of medicine and infectious disease expert Dr. Martin Kulldorff has wisely reminded us over the past year, the oppressive measures we have used in MA are ineffective at controlling COVID-19 while at the same

you or others are concerned about COVID-19, I do sympathize. I just wanted to share some feedback and a broader perspective that I hope the town and library can incorporate.

Kind Regards,  
Mike Bush

<https://twitter.com/MartinKulldorff/status/1371433589498384389?s=20>

Exhibit 3

From: Gleason Public Library, Carlisle -

- Date: August 31, 2021 at 3:05 PM

If you're having trouble viewing this email, you may [see it online](#).Share this:    

## LIBRARY LATEST

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### FROM THE DIRECTOR

Thank you to everyone who helped make our "Tales and Tails" summer reading program fun for all ages, including our youth services librarians Jenn and Tahleen; our teen volunteers and pages; the Friends of Gleason Public Library and the Susan Zielinski Natural Science Fund; and everyone who participated in the reading challenges or enjoyed an event!

We are excited to be headed into the fall, with back-to-school, a Gleason Endowment fundraiser, and a busy lineup of programs coming up. Read on below for all the details.

-[Martha](#)

### LIBRARY HOURS

The Library is open without having to make an appointment. Masks are still required for all visitors age 2 and up, in consideration of our high usage by as-yet-unvaccinated children and medically vulnerable individuals. Please contact us at 978-369-4898 or [director@gleasonlibrary.org](mailto:director@gleasonlibrary.org) with any questions.

The Library will be **closed** on Saturday, September 4 and Monday, September 6 in observance of Labor Day.

The Library returns to regular Saturday hours, 10 a.m. to 5 p.m., starting Saturday, September 11.

### Library Hours:

Monday, Tuesday, and Thursday: 10 a.m. to 9 p.m.

Wednesday: 1 p.m. to 9 p.m.

Friday: 10 a.m. to 5 p.m.

Saturday: 10 a.m. to 5 p.m.

### NEW HOT SPOTS AVAILABLE FOR LENDING

We have added 5 T-Mobile T9 Hotspots to our collection. This was made possible by the Massachusetts Board of Library Commissioners. You can reserve one through the catalog or by calling the Library at (978) 369-4898.

Our policy and procedures can be found by [clicking here](#), and you can request one now by searching our catalog for "hotspot".

Exhibit 4 (double-sided)

# THE WALL STREET JOURNAL.

AUGUST 04, 2021

## *Eradication of Covid Is a Dangerous and Expensive Fantasy; It seemed to work in New Zealand and Australia, but now ruinous, oppressive lockdowns are back.*

By Jay Bhattacharya and Donald J. Boudreaux

Much of the pathology underlying Covid policy arises from the fantasy that it is possible to eradicate the virus. Capitalizing on pandemic panic, governments and compliant media have used the lure of zero-Covid to induce obedience to harsh and arbitrary lockdown policies and associated violations of civil liberties.

Among all countries, New Zealand, Australia and especially China have most zealously embraced zero-Covid. China's initial lockdown in Wuhan was the most tyrannical. It infamously locked people into their homes, forced patients to take untested medications, and imposed 40-day quarantines at gunpoint.

On March 24, 2020, New Zealand imposed one of the most onerous lockdowns in the free world, with sharp restrictions on international travel, business closures, a prohibition on going outside, and official encouragement of citizens to snitch on neighbors. In May 2020, having hit zero-Covid, New Zealand lifted lockdown restrictions, except quarantines for international travelers and warrantless house searches to enforce lockdown.

Australia also took the zero-Covid route. While the initial steps focused on banning international travel, the lockdowns there also involved closed schools, occasional separation of mothers from premature newborns, brutal suppression of protests, and arrests for wandering more than 3 miles from home.

New Zealand's and Australia's temporary achievement of zero-Covid and China's claimed success were greeted with fanfare by the media and scientific journals. China's authoritarian response seemed so successful—despite the country's record of lying about the virus—that panicked democratic

governments around the world copied it. The three countries lifted their lockdowns and celebrated.

Then, when Covid came back, so did the lockdowns. Each government has had multiple opportunities to glory in achieving zero-Covid by hairshirt. Australia's current lockdowns in Sydney are now enforced by military patrols alongside strict warnings from health officials against speaking with neighbors. After Prime Minister Boris Johnson announced that the U.K. must "learn to live with" the virus, New Zealand's minister for Covid-19 response, Chris Hipkins, imperiously responded, "That's not something that we have been willing to accept in New Zealand."

Humanity's unimpressive track record of deliberately eradicating contagious diseases warns us that lockdown measures, however draconian, can't work. Thus far, the number of such diseases so eliminated stands at two—and one of these, rinderpest, affected only even-toed ungulates. The lone human infectious disease we've deliberately eradicated is smallpox. The bacterium responsible for the Black Death, the 14th-century outbreak of bubonic plague, is still with us, causing infections even in the U.S.

While the eradication of smallpox—a virus 100 times as deadly as Covid—was an impressive feat, it shouldn't be used as a precedent for Covid. For one thing, unlike smallpox, which was carried only by humans, SARS-CoV-2 is also carried by animals, which some hypothesize can spread the disease to humans. We will need to rid ourselves of dogs, cats, mink, bats and more to get to zero.

For another, the smallpox vaccine is incredibly effective at preventing infection and severe disease, even after exposure to disease, with protection lasting five to 10 years. The Covid vaccines are far less effective at preventing spread.

And smallpox eradication

required a concerted global effort lasting decades and unprecedented cooperation among nations. Nothing like this is possible today, especially if it requires a perpetual lockdown in every country on earth. That's simply too much to ask, especially of poor countries, where lockdowns have proved devastatingly harmful to public health. If even one nonhuman reservoir or a single country or region that fails to adopt the program, zero-Covid would fail.

The costs of any eradication program are immense and must be justified before the government pursues such a goal. These costs include a sacrifice of non-health-related goods and services and other health priorities—forgone prevention and treatment of other diseases. The consistent failure of government officials to recognize the harms of lockdowns—often citing the precautionary principle—disqualifies Covid as a candidate for eradication.

The only practical course is to live with the virus in the same way that we have learned to live over millennia with countless other pathogens. A focused protection policy can help us cope with the risk. There is a thousand-fold difference in the mortality and hospitalization risk posed by virus to the old relative to the young. We now have good vaccines that have helped protect vulnerable people from the ravages of Covid wherever they have been deployed. Offering the vaccine to the vulnerable everywhere, not the failed lockdowns, should be the priority to save lives.

We live with countless hazards, each of which we could but sensibly choose not to eradicate. Automobile fatalities could be eradicated by outlawing motor vehicles. Drowning could be eradicated by outlawing swimming and bathing. Electrocution could be eradicated by outlawing electricity. We live with these risks not because we're indifferent to suffering but because we understand that the costs of zero-drowning or zero-electrocution

would be far too great. The same is true of zero-Covid.

Dr. Bhattacharya is a professor of medicine at Stanford and a research associate at the National Bureau of Economic Research. Mr. Boudreaux is a professor of economics at George Mason University.

Eradication of Covid Is a Dangerous and Expensive Fantasy

Exhibit 5



Town of Carlisle  
Office of  
BOARD OF HEALTH  
66 Westford Street  
Carlisle, MA 01741

Tel.: (978) 369-0283  
Fax: (978) 369-4521

## MEMORANDUM

To: Carlisle Select Board  
Town Administrator  
Town Counsel  
From: Carlisle Board of Health  
Tony Mariano, Chairman  
Date: August 26, 2021  
In Re: Town of Carlisle Face Mask Mandate

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Acting under its authority stated in Mass. General Laws, Chapter III, Section 31, the Carlisle Board of Health at a duly posted public meeting held on August 25, 2021, unanimously voted as follows:

In response to the recent increase in positive COVID-19 cases in Carlisle and throughout Middlesex County, including break-through cases among those who have been fully vaccinated, the Carlisle Board of Health hereby adopts an indoor face mask mandate for all indoor public spaces, or private spaces open to the public within the Town of Carlisle except where an individual is unable to wear a face mask due to a medical condition or disability and in employee's private work space where face masks are encouraged. This mandate will be revisited by the Board of Health in early October, 2021.

Massachusetts General Laws Chapter 111, Section 104 permits "the selectmen and the board of health [to] use all possible care to prevent the spread of [an] infection" that is dangerous to public health. The Board of Health therefor requests that the Carlisle Select Board also issue an emergency declaration for the implementation of a local face mask mandate within the Town of Carlisle.<sup>1</sup>

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<sup>1</sup> See Massachusetts General Laws Chapter 111, Sections 31 and 104

Exhibit 6

Michael Bush  
280 Lowell Street  
Carlisle MA 01741

PRIORITY MAIL

September 7, 2021

Timothy Goddard  
Town of Carlisle Administrator & ADA Coordinator  
66 Westford Street  
Carlisle MA 01741

**NOTICE OF CLAIM PURSUANT TO M.G.L. CH. 260 AND 42 U.S.C. § 1983 AND  
DEMAND FOR RESOLUTION**

Administrator & ADA Coordinator Goddard:

This letter constitutes a Notice of Claim for unlawful conduct by town of Carlisle personnel, violations of civil rights pursuant to 42 U.S.C. § 1983 and Massachusetts General Laws Chapter 260 §5B as well as demand for resolution within the next fifteen (15) days. This letter is being mailed and/or delivered to you as the prospective respondents, pursuant to the Massachusetts Civil Rights Act.

We are concerned by the town of Carlisle's violations of applicable civil rights laws, improper promotion of misleading propaganda, the Board of Health and Select Board overstepping their authority, and those transgressions' adverse impacts on us and others.

The Gleason Public Library's current mask policy published on its website (enclosed as Exhibit 1) states that, "Masks are required out of consideration for our high usage by children who are not yet able to be vaccinated." And a recent edition of the library's email newsletter to subscribers (enclosed as Exhibit 2) states that, "Masks are still required for all visitors age 2 and up, in consideration of our high usage by as-yet-unvaccinated children and medically vulnerable individuals."

Such a policy implies that:



Michael Busn  
280 Lowell Street  
Carlisle MA 01741

1. Library personnel know and assume responsibility for the medical conditions, vaccination status, medical vulnerabilities, and medical needs of each individual in the library, and
2. By wearing masks, persons protect others from airborne germs from which certain unspecified vaccinations could otherwise protect those other people.

It is unreasonable and unwarranted for library or other town personnel to assume or claim that they know the medical conditions, vaccination status, medical vulnerabilities, and medical needs of each person in the library or other town facilities. By creating and/or implementing such a policy, the town and its personnel have effectively assumed responsibility and liability for infections and resulting illnesses that persons may contract in the library.

Additionally, on the town's website [www.carlislema.gov](http://www.carlislema.gov), a pop up window displays stating that effective September 1, 2021 the Carlisle Board of Health has issued an "indoor face mask mandate for all indoor public spaces, or private spaces open to the public within the Town of Carlisle except where an individual is unable to wear a face mask due to a medical condition or disability and in employee's private work space where face masks are encouraged." This announcement is also posted at <https://www.carlislema.gov/CivicAlerts.aspx?AllID=220> (See Exhibit 3 enclosed.)

The website's face mask policy announcement claims that the Board of Health issued the face mask mandate with the concurrence of the Carlisle Select Board. The statute the website's announcement cites for the Board of Health's order is M.G.L. Ch. 111 § 104. That statute does not give the Board of Health or Select Board the authority to mandate the use of face masks. That statute merely authorizes the "selectmen and board of health" to "give public notice of infected places." It does not give the Select Board or Board of Health the authority to issue widespread notices of infection that are not specific to a particular place. It certainly does not give the authority to mandate or recommend the use of medical procedures or devices, such as face masks.

Additionally, the logic for the unlawful face mask mandate the Carlisle Board of Health has issued with the concurrence of the Select Board is fundamentally flawed. It implies that the mandate is only temporary, while COVID-19 exists. The virus associated with the infectious disease COVID-19—SARS-CoV-2—mutates readily to evade suppression by vaccines, is airborne and highly transmissible, and has non-human animal reservoirs. Hence, similar to the annual influenza virus that has existed for over a century, SARS-CoV-2 cannot be eradicated and COVID-19 will be a part of life indefinitely.<sup>1</sup>

On the website's COVID-19 page at <https://www.carlislema.gov/845/Coronavirus-COVID-19> (see Exhibit 4 enclosed), it refers to the Massachusetts Department of Public Health's latest mask advisory. Yet the page misleadingly lists places that mask advisory "requires" people to be masked while omitting the fact that Massachusetts advisory also states that: "The following persons are exempt from the face coverings requirement:

- Children under 5 years old.

Michael Bush  
280 Lowell Street  
Carlisle MA 01741

- Persons for whom a face mask or covering creates a health risk or is not safe because of any of the following conditions or circumstances:
  - the face mask or covering affects the person's ability to breathe safely;
  - the person has a mental health or other medical diagnosis that advises against wearing a face mask or covering;
  - the person has a disability that prevents them from wearing a face mask or covering; or
  - the person depends on supplemental oxygen to breathe.”

By requiring persons to wear masks without having specified that those masks be tested, effective, or approved for the function of preventing the spread of infections, the town of Carlisle has made false and misleading claims. The U.S. Food and Drug Administration's (FDA) Emergency Use Authorization (EUA) for surgical and/or cloth masks requires that, “The product is not labeled in such a manner that would misrepresent the product's intended use; for example, the labeling must not state or imply that the product is intended for antimicrobial or antiviral protection or related uses or is for use such as infection prevention or reduction.”

The statute granting the FDA the power to authorize a medical product for emergency use requires that the person being administered the product be advised of his or her right to refuse administration of the product. This statute further recognizes the well-settled doctrine that medical experiments, or “clinical research,” may not be performed on human subjects without the express, informed consent of the individual receiving treatment. As C.F.R. § 50.20 states, “An investigator shall seek such consent only under circumstances that provide the prospective subject or the representative sufficient opportunity to consider whether or not to participate and that minimize the possibility of coercion or undue influence. The information that is given to the subject or the representative shall be in language understandable to the subject or the representative.”

The COVID-19 page on the Carlisle website links to a document titled Understanding Masks To Protect Children Against COVID-19 (enclosed as Exhibit 5). That document is misleading in a number of respects. First, the title and theme of it implies that children need protection from COVID-19, which is false.<sup>2</sup> (See Exhibit 6 enclosed.) Influenza presents a minuscule mortality risk to children in the first place, yet COVID-19 presents even less of a risk to children than influenza does. Second, the document implies that putting masks that do not block viruses on children protects children from COVID-19. That is illogical and nowhere in that document was that assertion truly substantiated. Instead, the basis of the document was speculation and wishful thinking. While much pseudoscience has been quoted in that document and elsewhere to suggest wearing masks to prevent viral respiratory infections, truly relevant facts and the most credible scientific studies reveal that masks are not effective for prevention of the spread of COVID-19<sup>3</sup>. Additionally, wearing masks has known harms to children and adults<sup>4</sup> and<sup>5</sup>. For the town of Carlisle to publish or promote such phobia-mongering, specious propaganda as that document is an egregious misuse of taxes and town resources. We as residents and taxpayers do not consent to that.

Michael Bush  
280 Lowell Street  
Carlisle MA 01741

The fact is, masks are not approved to prevent the spread of viral respiratory infections. An EUA from the FDA, mentioned above, is for products of an investigational or experimental nature. The town's and Gleason Library's websites policies and COVID pages failed to disclose that the mask requirement and advisory is experimental and that wearing masks is known to be harmful.

As Article II of the Constitution of the Commonwealth of Massachusetts states, "no subject shall be hurt, molested, or restrained, in his person, liberty, or estate, for worshipping God in the manner and season most agreeable to the dictates of his own conscience..." Some religions, creeds, physical disabilities, and/or mental disabilities prohibit or contraindicate the wearing of masks or face coverings or the partaking of vaccinations. Therefore, the town's published mask policies violate both our Massachusetts Constitutional rights as well as M.G.L. Chapter 272 § 92A, which prohibits public accommodations from depriving people of any, "religious sect, creed... deafness or blindness, or any physical or mental disability" of the "full enjoyment of the accommodations, advantages, facilities or privileges offered to the general public." Further, the statute states that, "Any person who shall violate any provision of this section, or who shall aid in or incite, cause or bring about, in whole or in part, such a violation shall be punished by a fine of not more than one hundred dollars, or by imprisonment for not more than thirty days, or both."

Michael Bush informed town of Carlisle personnel Board of Health Agent Linda Fantasia and Gleason Public Library Director Martha Feeney-Patten via email in March 2021 that because of such propaganda and longstanding face mask policies put forth by the town, he had been subjected to harassment and unlawful discrimination. Both Board of Health Agent Fantasia and Director Feeney-Patten replied to Mr. Bush's message, acknowledging his concerns yet providing no resolution in accordance with the law.

We will no longer tolerate such callous, unlawful discrimination by town entities or personnel. Nor will we tolerate the Select Board or Board of Health overstepping their authority. As these mask policies have violated our and others' federal and Massachusetts civil rights, pursuant to M.G.L. Ch. 265 Section 37, Select Board members, Board of Health staff and members, library personnel, or any other personnel communicating or implementing such unlawful policies may each personally be, "fined not more than one thousand dollars or imprisoned not more than one year or both; and if bodily injury results, shall be punished by a fine of not more than ten thousand dollars or by imprisonment for not more than ten years, or both."

The mask policies are in violation of Title 18 U.S.C. § 242 - Deprivation Of Rights Under Color Of Law. Personnel having created, communicated, or attempted to enforce such policies in violation of civil rights laws may be charged and/or sued for such violation(s) pursuant to Title 42 U.S.C. § 1983 - Civil Rights Action For Deprivation Of Rights.

We therefore demand that within the next fifteen (15) days the town of Carlisle:

1. Rescind and remove the above-identified misleading and unlawful documents and policies pertaining to face masks and vaccinations,
2. The Board of Health inform businesses open to the public in town of that face mask mandate's rescission and that no one may be denied entry or service due to their

Michael Bush  
280 Lowell Street  
Carlisle MA 01741

- religious sect, deafness or blindness, or any physical or mental disability that keeps them from wearing a face mask and they are not to be questioned about it,
3. Notify the Carlisle Mosquito newspaper of the rescission of the policies,
  4. And choose either of the following:
    - a. If the town and its personnel wish to assume legal liability for airborne viral infections, the harassment such a policy causes people, as well as the harms of masks, issue a town policy (1) suggesting people wear masks in town facilities with the acknowledgment that masks are experimental and have known and unknown harms (2) acknowledging that masks are not approved by the FDA to prevent infections, and (3) regardless of whether people wear masks or have been vaccinated, they shall not be questioned or approached about either and shall be afforded full enjoyment of the accommodations, advantages, facilities or privileges offered to the general public, or
    - b. If the town and its personnel prefer to avoid collective and/or personal legal liability for harassment, airborne viral infections, discrimination, unlawful actions, and harms related to masks or vaccinations, simply refrain from issuing rules, policies, mandates, or advisories regarding masks or vaccinations and refrain from communicating or attempting to implement any other entities' such mandates, advisories, etc.

Should you fail to provide the demanded relief within fifteen days, we may collectively and/or individually pursue the remedies available to us in preserving our legal rights and obtaining monetary and/or other redress. You may respond in writing to us collectively using Michael Bush's name and address.

Sincerely,

*Michael Bush*

Michael Bush  
280 Lowell Street  
Carlisle MA 01741

*Robert Eeri*  
ROBERT EERI

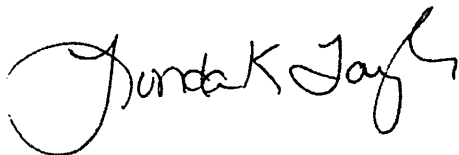
80 Wildwood Drive  
Carlisle MA 01741

*Katalin Eeri*  
KATALIN EERI

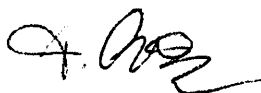
*Jenn Hill*  
257 Lowell Street

Michael Bush  
280 Lowell Street  
Carlisle MA 01741

Linda Taylor  
879 Concord Street  
Carlisle MA 01741



Anita Opitz  
51 Bingham Road  
Carlisle MA 01471



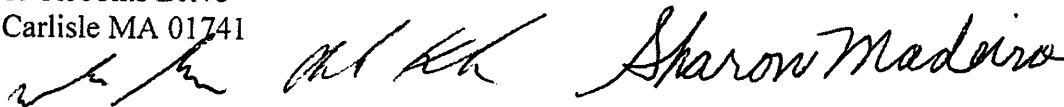
Monica Granfield  
110 Carlisle Pines Drive  
Carlisle MA 01741



Ian Sampson  
315 Fiske Street  
Carlisle MA 01741



Wojciech Krajewska, Andrea Krajewska & Sharon Madeiro  
89 Robbins Drive  
Carlisle MA 01741



<sup>1</sup> <https://www.wsj.com/articles/zero-covid-coronavirus-pandemic-lockdowns-china-australia-new-zealand-11628101945>

<sup>2</sup> <https://www.wsj.com/articles/cdc-covid-19-coronavirus-vaccine-side-effects-hospitalization-kids-11626706868>

<sup>3</sup> <https://www.acpjournals.org/doi/10.7326/M20-6817>

<sup>4</sup> <https://www.bmj.com/content/370/bmj.m3021/rr-6>

<sup>5</sup> <https://www.mdpi.com/1660-4601/18/8/4344/htm>

Exhibit 7

Michael Bush  
280 Lowell Street  
Carlisle MA 01741

PRIORITY MAIL

September 7, 2021

Martha Feeney-Patten  
Director  
Gleason Public Library  
22 Bedford Road  
Carlisle MA 01741

**NOTICE OF CLAIM PURSUANT TO M.G.L. CH. 260 AND 42 U.S.C. § 1983 AND  
DEMAND FOR RESOLUTION**

Director Martha Feeney-Patten:

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Michael Bush  
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It is unreasonable and unwarranted for library or other town personnel to assume or claim that they know the medical conditions, vaccination status, medical vulnerabilities, and medical needs of each person in the library or other town facilities. By creating and/or implementing such a policy, the town and its personnel have effectively assumed responsibility and liability for infections and resulting illnesses that persons may contract in the library.

Additionally, on the town's website [www.carlislema.gov](http://www.carlislema.gov), a pop up window displays stating that effective September 1, 2021 the Carlisle Board of Health has issued an "indoor face mask mandate for all indoor public spaces, or private spaces open to the public within the Town of Carlisle except where an individual is unable to wear a face mask due to a medical condition or disability and in employee's private work space where face masks are encouraged." This announcement is also posted at <https://www.carlislema.gov/CivicAlerts.aspx?AID=220> (See Exhibit 3 enclosed.)

The website's face mask policy announcement claims that the Board of Health issued the face mask mandate with the concurrence of the Carlisle Select Board. The statute the website's announcement cites for the Board of Health's order is M.G.L. Ch. 111 § 104. That statute does not give the Board of Health or Select Board the authority to mandate the use of face masks. That statute merely authorizes the "selectmen and board of health" to "give public notice of infected places." It does not give the Select Board or Board of Health the authority to issue widespread notices of infection that are not specific to a particular place. It certainly does not give the authority to mandate or recommend the use of medical procedures or devices, such as face masks.

Additionally, the logic for the unlawful face mask mandate the Carlisle Board of Health has issued with the concurrence of the Select Board is fundamentally flawed. It implies that the mandate is only temporary, while COVID-19 exists. The virus associated with the infectious disease COVID-19—SARS-CoV-2—mutates readily to evade suppression by vaccines, is airborne and highly transmissible, and has non-human animal reservoirs. Hence, similar to the annual influenza virus that has existed for over a century, SARS-CoV-2 cannot be eradicated and COVID-19 will be a part of life indefinitely.<sup>1</sup>

On the website's COVID-19 page at <https://www.carlislema.gov/845/Coronavirus-COVID-19> (see Exhibit 4 enclosed), it refers to the Massachusetts Department of Public Health's latest mask advisory. Yet the page misleadingly lists places that mask advisory "requires" people to be masked while omitting the fact that Massachusetts advisory also states that: "The following persons are exempt from the face coverings requirement:

- Children under 5 years old.

Michael Bush  
280 Lowell Street  
Carlisle MA 01741

- Persons for whom a face mask or covering creates a health risk or is not safe because of any of the following conditions or circumstances:
  - the face mask or covering affects the person's ability to breathe safely;
  - the person has a mental health or other medical diagnosis that advises against wearing a face mask or covering;
  - the person has a disability that prevents them from wearing a face mask or covering; or
  - the person depends on supplemental oxygen to breathe."

By requiring persons to wear masks without having specified that those masks be tested, effective, or approved for the function of preventing the spread of infections, the town of Carlisle has made false and misleading claims. The U.S. Food and Drug Administration's (FDA) Emergency Use Authorization (EUA) for surgical and/or cloth masks requires that, "The product is not labeled in such a manner that would misrepresent the product's intended use; for example, the labeling must not state or imply that the product is intended for antimicrobial or antiviral protection or related uses or is for use such as infection prevention or reduction."

The statute granting the FDA the power to authorize a medical product for emergency use requires that the person being administered the product be advised of his or her right to refuse administration of the product. This statute further recognizes the well-settled doctrine that medical experiments, or "clinical research," may not be performed on human subjects without the express, informed consent of the individual receiving treatment. As C.F.R. § 50.20 states, "An investigator shall seek such consent only under circumstances that provide the prospective subject or the representative sufficient opportunity to consider whether or not to participate and that minimize the possibility of coercion or undue influence. The information that is given to the subject or the representative shall be in language understandable to the subject or the representative."

The COVID-19 page on the Carlisle website links to a document titled Understanding Masks To Protect Children Against COVID-19 (enclosed as Exhibit 5). That document is misleading in a number of respects. First, the title and theme of it implies that children need protection from COVID-19, which is false.<sup>2</sup> (See Exhibit 6 enclosed.) Influenza presents a minuscule mortality risk to children in the first place, yet COVID-19 presents even less of a risk to children than influenza does. Second, the document implies that putting masks that do not block viruses on children protects children from COVID-19. That is illogical and nowhere in that document was that assertion truly substantiated. Instead, the basis of the document was speculation and wishful thinking. While much pseudoscience has been quoted in that document and elsewhere to suggest wearing masks to prevent viral respiratory infections, truly relevant facts and the most credible scientific studies reveal that masks are not effective for prevention of the spread of COVID-19<sup>3</sup>. Additionally, wearing masks has known harms to children and adults<sup>4 and 5</sup>. For the town of Carlisle to publish or promote such phobia-mongering, specious propaganda as that document is an egregious misuse of taxes and town resources. We as residents and taxpayers do not consent to that.



Michael Bush  
280 Lowell Street  
Carlisle MA 01741

The fact is, masks are not approved to prevent the spread of viral respiratory infections. An EUA from the FDA, mentioned above, is for products of an investigational or experimental nature. The town's and Gleason Library's websites policies and COVID pages failed to disclose that the mask requirement and advisory is experimental and that wearing masks is known to be harmful.

As Article II of the Constitution of the Commonwealth of Massachusetts states, "no subject shall be hurt, molested, or restrained, in his person, liberty, or estate, for worshipping God in the manner and season most agreeable to the dictates of his own conscience..." Some religions, creeds, physical disabilities, and/or mental disabilities prohibit or contraindicate the wearing of masks or face coverings or the partaking of vaccinations. Therefore, the town's published mask policies violate both our Massachusetts Constitutional rights as well as M.G.L. Chapter 272 § 92A, which prohibits public accommodations from depriving people of any, "religious sect, creed... deafness or blindness, or any physical or mental disability" of the "full enjoyment of the accommodations, advantages, facilities or privileges offered to the general public." Further, the statute states that, "Any person who shall violate any provision of this section, or who shall aid in or incite, cause or bring about, in whole or in part, such a violation shall be punished by a fine of not more than one hundred dollars, or by imprisonment for not more than thirty days, or both."

Michael Bush informed town of Carlisle personnel Board of Health Agent Linda Fantasia and Gleason Public Library Director Martha Feeney-Patten via email in March 2021 that because of such propaganda and longstanding face mask policies put forth by the town, he had been subjected to harassment and unlawful discrimination. Both Board of Health Agent Fantasia and Director Feeney-Patten replied to Mr. Bush's message, acknowledging his concerns yet providing no resolution in accordance with the law.

We will no longer tolerate such callous, unlawful discrimination by town entities or personnel. Nor will we tolerate the Select Board or Board of Health overstepping their authority. As these mask policies have violated our and others' federal and Massachusetts civil rights, pursuant to M.G.L. Ch. 265 Section 37, Select Board members, Board of Health staff and members, library personnel, or any other personnel communicating or implementing such unlawful policies may each personally be, "fined not more than one thousand dollars or imprisoned not more than one year or both; and if bodily injury results, shall be punished by a fine of not more than ten thousand dollars or by imprisonment for not more than ten years, or both."

The mask policies are in violation of Title 18 U.S.C. § 242 - Deprivation Of Rights Under Color Of Law. Personnel having created, communicated, or attempted to enforce such policies in violation of civil rights laws may be charged and/or sued for such violation(s) pursuant to Title 42 U.S.C. § 1983 - Civil Rights Action For Deprivation Of Rights.

We therefore demand that within the next fifteen (15) days the town of Carlisle:

1. Rescind and remove the above-identified misleading and unlawful documents and policies pertaining to face masks and vaccinations,
2. The Board of Health inform businesses open to the public in town of that face mask mandate's rescission and that no one may be denied entry or service due to their

Michael Bush  
280 Lowell Street  
Carlisle MA 01741

- religious sect, deafness or blindness, or any physical or mental disability that keeps them from wearing a face mask and they are not to be questioned about it,
3. Notify the Carlisle Mosquito newspaper of the rescission of the policies,
  4. And choose either of the following:
    - a. If the town and its personnel wish to assume legal liability for airborne viral infections, the harassment such a policy causes people, as well as the harms of masks, issue a town policy (1) suggesting people wear masks in town facilities with the acknowledgment that masks are experimental and have known and unknown harms (2) acknowledging that masks are not approved by the FDA to prevent infections, and (3) regardless of whether people wear masks or have been vaccinated, they shall not be questioned or approached about either and shall be afforded full enjoyment of the accommodations, advantages, facilities or privileges offered to the general public, or
    - b. If the town and its personnel prefer to avoid collective and/or personal legal liability for harassment, airborne viral infections, discrimination, unlawful actions, and harms related to masks or vaccinations, simply refrain from issuing rules, policies, mandates, or advisories regarding masks or vaccinations and refrain from communicating or attempting to implement any other entities' such mandates, advisories, etc.

Should you fail to provide the demanded relief within fifteen days, we may collectively and/or individually pursue the remedies available to us in preserving our legal rights and obtaining monetary and/or other redress. You may respond in writing to us collectively using Michael Bush's name and address.

Sincerely,

*Michael Bush*

Michael Bush  
280 Lowell Street  
Carlisle MA 01741

*Robert Egri*  
ROBERT EGRI

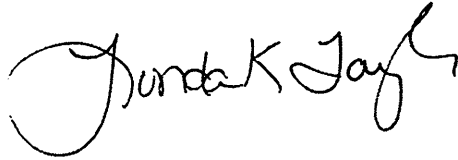
80 Wildwood Drive  
Carlisle MA 01741

*Katalin Egri*  
KATALIN EGRI

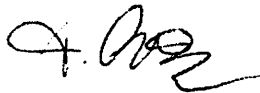
*Jim Daul*  
257 Lowell Street

Michael Bush  
280 Lowell Street  
Carlisle MA 01741

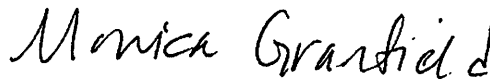
Linda Taylor  
879 Concord Street  
Carlisle MA 01741



Anita Opitz  
51 Bingham Road  
Carlisle MA 01471



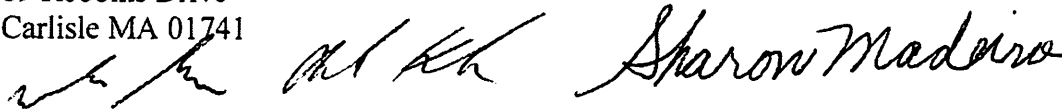
Monica Granfield  
110 Carlisle Pines Drive  
Carlisle MA 01741



Ian Sampson  
315 Fiske Street  
Carlisle MA 01741



Wojciech Krajewska, Andrea Krajewska & Sharon Madeiro  
89 Robbins Drive  
Carlisle MA 01741



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<sup>1</sup> <https://www.wsj.com/articles/zero-covid-coronavirus-pandemic-lockdowns-china-australia-new-zealand-11628101945>

<sup>2</sup> <https://www.wsj.com/articles/cdc-covid-19-coronavirus-vaccine-side-effects-hospitalization-kids-11626706868>

<sup>3</sup> <https://www.acpjournals.org/doi/10.7326/M20-6817>

<sup>4</sup> <https://www.bmj.com/content/370/bmj.m3021/r-6>

<sup>5</sup> <https://www.mdpi.com/1660-4601/18/8/4344/html>

Exhibit 8

MICHAEL BUSH  
280 Lowell Street  
Carlisle MA 01741

PRIORITY MAIL

September 7, 2021

Linda Fantasia  
Board of Health Agent  
66 Westford Street  
Carlisle MA 01741

**NOTICE OF CLAIM PURSUANT TO M.G.L. CH. 260 AND 42 U.S.C. § 1983 AND  
DEMAND FOR RESOLUTION**

Board of Health Agent Linda Fantasia:

This letter constitutes a Notice of Claim for unlawful conduct by town of Carlisle personnel, violations of civil rights pursuant to 42 U.S.C. § 1983 and Massachusetts General Laws Chapter 260 §5B as well as demand for resolution within the next fifteen (15) days. This letter is being mailed and/or delivered to you as the prospective respondents, pursuant to the Massachusetts Civil Rights Act.

We are concerned by the town of Carlisle's violations of applicable civil rights laws, improper promotion of misleading propaganda, the Board of Health and Select Board overstepping their authority, and those transgressions' adverse impacts on us and others.

The Gleason Public Library's current mask policy published on its website (enclosed as Exhibit 1) states that, "Masks are required out of consideration for our high usage by children who are not yet able to be vaccinated." And a recent edition of the library's email newsletter to subscribers (enclosed as Exhibit 2) states that, "Masks are still required for all visitors age 2 and up, in consideration of our high usage by as-yet-unvaccinated children and medically vulnerable individuals."

Such a policy implies that:

Michael Busn  
280 Lowell Street  
Carlisle MA 01741

1. Library personnel know and assume responsibility for the medical conditions, vaccination status, medical vulnerabilities, and medical needs of each individual in the library, and
2. By wearing masks, persons protect others from airborne germs from which certain unspecified vaccinations could otherwise protect those other people.

It is unreasonable and unwarranted for library or other town personnel to assume or claim that they know the medical conditions, vaccination status, medical vulnerabilities, and medical needs of each person in the library or other town facilities. By creating and/or implementing such a policy, the town and its personnel have effectively assumed responsibility and liability for infections and resulting illnesses that persons may contract in the library.

Additionally, on the town's website [www.carlislema.gov](http://www.carlislema.gov), a pop up window displays stating that effective September 1, 2021 the Carlisle Board of Health has issued an "indoor face mask mandate for all indoor public spaces, or private spaces open to the public within the Town of Carlisle except where an individual is unable to wear a face mask due to a medical condition or disability and in employee's private work space where face masks are encouraged." This announcement is also posted at <https://www.carlislema.gov/CivicAlerts.aspx?AID=220> (See Exhibit 3 enclosed.)

The website's face mask policy announcement claims that the Board of Health issued the face mask mandate with the concurrence of the Carlisle Select Board. The statute the website's announcement cites for the Board of Health's order is M.G.L. Ch. 111 § 104. That statute does not give the Board of Health or Select Board the authority to mandate the use of face masks. That statute merely authorizes the "selectmen and board of health" to "give public notice of infected places." It does not give the Select Board or Board of Health the authority to issue widespread notices of infection that are not specific to a particular place. It certainly does not give the authority to mandate or recommend the use of medical procedures or devices, such as face masks.

Additionally, the logic for the unlawful face mask mandate the Carlisle Board of Health has issued with the concurrence of the Select Board is fundamentally flawed. It implies that the mandate is only temporary, while COVID-19 exists. The virus associated with the infectious disease COVID-19—SARS-CoV-2—mutates readily to evade suppression by vaccines, is airborne and highly transmissible, and has non-human animal reservoirs. Hence, similar to the annual influenza virus that has existed for over a century, SARS-CoV-2 cannot be eradicated and COVID-19 will be a part of life indefinitely.<sup>1</sup>

On the website's COVID-19 page at <https://www.carlislema.gov/845/Coronavirus-COVID-19> (see Exhibit 4 enclosed), it refers to the Massachusetts Department of Public Health's latest mask advisory. Yet the page misleadingly lists places that mask advisory "requires" people to be masked while omitting the fact that Massachusetts advisory also states that: "The following persons are exempt from the face coverings requirement:

- Children under 5 years old.

Michael Bush  
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Carlisle MA 01741

- Persons for whom a face mask or covering creates a health risk or is not safe because of any of the following conditions or circumstances:
  - the face mask or covering affects the person's ability to breathe safely;
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By requiring persons to wear masks without having specified that those masks be tested, effective, or approved for the function of preventing the spread of infections, the town of Carlisle has made false and misleading claims. The U.S. Food and Drug Administration's (FDA) Emergency Use Authorization (EUA) for surgical and/or cloth masks requires that, “The product is not labeled in such a manner that would misrepresent the product's intended use; for example, the labeling must not state or imply that the product is intended for antimicrobial or antiviral protection or related uses or is for use such as infection prevention or reduction.”

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The COVID-19 page on the Carlisle website links to a document titled Understanding Masks To Protect Children Against COVID-19 (enclosed as Exhibit 5). That document is misleading in a number of respects. First, the title and theme of it implies that children need protection from COVID-19, which is false.<sup>2</sup> (See Exhibit 6 enclosed.) Influenza presents a minuscule mortality risk to children in the first place, yet COVID-19 presents even less of a risk to children than influenza does. Second, the document implies that putting masks that do not block viruses on children protects children from COVID-19. That is illogical and nowhere in that document was that assertion truly substantiated. Instead, the basis of the document was speculation and wishful thinking. While much pseudoscience has been quoted in that document and elsewhere to suggest wearing masks to prevent viral respiratory infections, truly relevant facts and the most credible scientific studies reveal that masks are not effective for prevention of the spread of COVID-19<sup>3</sup>. Additionally, wearing masks has known harms to children and adults<sup>4</sup> and <sup>5</sup>. For the town of Carlisle to publish or promote such phobia-mongering, specious propaganda as that document is an egregious misuse of taxes and town resources. We as residents and taxpayers do not consent to that.



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Carlisle MA 01741

The fact is, masks are not approved to prevent the spread of viral respiratory infections. An EUA from the FDA, mentioned above, is for products of an investigational or experimental nature. The town's and Gleason Library's websites policies and COVID pages failed to disclose that the mask requirement and advisory is experimental and that wearing masks is known to be harmful.

As Article II of the Constitution of the Commonwealth of Massachusetts states, "no subject shall be hurt, molested, or restrained, in his person, liberty, or estate, for worshipping God in the manner and season most agreeable to the dictates of his own conscience..." Some religions, creeds, physical disabilities, and/or mental disabilities prohibit or contraindicate the wearing of masks or face coverings or the partaking of vaccinations. Therefore, the town's published mask policies violate both our Massachusetts Constitutional rights as well as M.G.L. Chapter 272 § 92A, which prohibits public accommodations from depriving people of any, "religious sect, creed... deafness or blindness, or any physical or mental disability" of the "full enjoyment of the accommodations, advantages, facilities or privileges offered to the general public." Further, the statute states that, "Any person who shall violate any provision of this section, or who shall aid in or incite, cause or bring about, in whole or in part, such a violation shall be punished by a fine of not more than one hundred dollars, or by imprisonment for not more than thirty days, or both."

Michael Bush informed town of Carlisle personnel Board of Health Agent Linda Fantasia and Gleason Public Library Director Martha Feeney-Patten via email in March 2021 that because of such propaganda and longstanding face mask policies put forth by the town, he had been subjected to harassment and unlawful discrimination. Both Board of Health Agent Fantasia and Director Feeney-Patten replied to Mr. Bush's message, acknowledging his concerns yet providing no resolution in accordance with the law.

We will no longer tolerate such callous, unlawful discrimination by town entities or personnel. Nor will we tolerate the Select Board or Board of Health overstepping their authority. As these mask policies have violated our and others' federal and Massachusetts civil rights, pursuant to M.G.L. Ch. 265 Section 37, Select Board members, Board of Health staff and members, library personnel, or any other personnel communicating or implementing such unlawful policies may each personally be, "fined not more than one thousand dollars or imprisoned not more than one year or both; and if bodily injury results, shall be punished by a fine of not more than ten thousand dollars or by imprisonment for not more than ten years, or both."

The mask policies are in violation of Title 18 U.S.C. § 242 - Deprivation Of Rights Under Color Of Law. Personnel having created, communicated, or attempted to enforce such policies in violation of civil rights laws may be charged and/or sued for such violation(s) pursuant to Title 42 U.S.C. § 1983 - Civil Rights Action For Deprivation Of Rights.

We therefore demand that within the next fifteen (15) days the town of Carlisle:

1. Rescind and remove the above-identified misleading and unlawful documents and policies pertaining to face masks and vaccinations,
2. The Board of Health inform businesses open to the public in town of that face mask mandate's rescission and that no one may be denied entry or service due to their

Michael Bush  
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- religious sect, deafness or blindness, or any physical or mental disability that keeps them from wearing a face mask and they are not to be questioned about it,
3. Notify the Carlisle Mosquito newspaper of the rescission of the policies,
  4. And choose either of the following:
    - a. If the town and its personnel wish to assume legal liability for airborne viral infections, the harassment such a policy causes people, as well as the harms of masks, issue a town policy (1) suggesting people wear masks in town facilities with the acknowledgment that masks are experimental and have known and unknown harms (2) acknowledging that masks are not approved by the FDA to prevent infections, and (3) regardless of whether people wear masks or have been vaccinated, they shall not be questioned or approached about either and shall be afforded full enjoyment of the accommodations, advantages, facilities or privileges offered to the general public, or
    - b. If the town and its personnel prefer to avoid collective and/or personal legal liability for harassment, airborne viral infections, discrimination, unlawful actions, and harms related to masks or vaccinations, simply refrain from issuing rules, policies, mandates, or advisories regarding masks or vaccinations and refrain from communicating or attempting to implement any other entities' such mandates, advisories, etc.

Should you fail to provide the demanded relief within fifteen days, we may collectively and/or individually pursue the remedies available to us in preserving our legal rights and obtaining monetary and/or other redress. You may respond in writing to us collectively using Michael Bush's name and address.

Sincerely,

*Michael Bush*

Michael Bush  
280 Lowell Street  
Carlisle MA 01741

*Robert Egri*  
ROBERT EGRI

80 Wildwood Drive  
Carlisle MA 01741

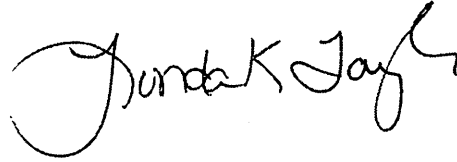
*Catalin Egri*  
KATALIN EGRI

*Jim Axel*  
257 Lowell Street



Michael Bush  
280 Lowell Street  
Carlisle MA 01741

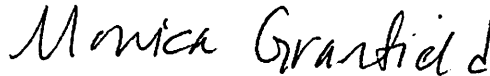
Linda Taylor  
879 Concord Street  
Carlisle MA 01741



Anita Opitz  
51 Bingham Road  
Carlisle MA 01471



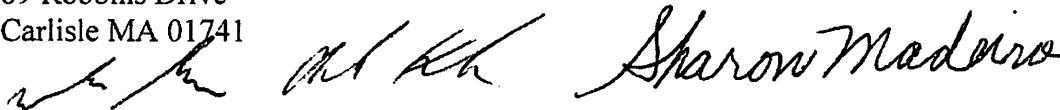
Monica Granfield  
110 Carlisle Pines Drive  
Carlisle MA 01741



Ian Sampson  
315 Fiske Street  
Carlisle MA 01741



Wojciech Krajewska, Andrea Krajewska & Sharon Madeiro  
89 Robbins Drive  
Carlisle MA 01741



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<sup>1</sup> <https://www.wsj.com/articles/zero-covid-coronavirus-pandemic-lockdowns-china-australia-new-zealand-11628101945>

<sup>2</sup> <https://www.wsj.com/articles/cdc-covid-19-coronavirus-vaccine-side-effects-hospitalization-kids-11626706868>

<sup>3</sup> <https://www.acpjournals.org/doi/10.7326.M20-6817>

<sup>4</sup> <https://www.bmj.com/content/370/bmj.m3021-rr-6>

<sup>5</sup> <https://www.mdpi.com/1660-4601/18/8/4344/htm>

EXHIBIT 9

From: Linda Fantasia - To: bmoc54@verizon.net - Cc: - Date: September 22, 2021 at 2:54 PM

I have received your 'Notice of Claim Pursuant to M.G.L. Ch 260 and 42 U.S.C.~1983 and Demand For Resolution.'  
Dated 9/7/21.

Linda Fantasia  
Health Agent  
Town of Carlisle  
66 Westford Street  
Carlisle MA 01741  
(978) 369-0283

***Please be advised that all email sent and received  
through the Town of Carlisle system may be  
considered part of the public record.***

**Due to unprecedented public health conditions at this time, non-emergency Health Department responses may be delayed. We will provide responses as soon as possible and appreciate your patience.**